

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel*,
State Engineer,

Plaintiff,

v.

RAMON ARAGON *ex rel*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Rito de Tierra Amarilla, Section 7
Subfile No.: CHTA-001-003

NOTICE OF OWNERSHIP

COMES NOW Defendant Garcia Lazy J. Ranch, Inc., by and through its attorneys, Lopez, Sakura & Boyd, LLP, in the above-styled and numbered cause, and respectfully requests that the Court take Notice of Ownership of the property hereinafter described, and in support of such Notice hereby states as follows:

1. Defendant Garcia Lazy J. Ranch, Inc. is not the owner of the property which is a subject of Subfile No. CHTA-001-003 in the above-styled and numbered cause of action.

2. The proper owners of the property which is a subject of Subfile No. CHTA-001-003 are Adan Garcia, Jr., Leroy Garcia, Armando Garcia, Samuel Garcia, Miguel Martinez, heir at law of Martha G. Martinez, Deceased, Viola Chavez, Joan Garcia, Pamela Manzanares and Donna Garcia, as their separate estates of inheritance, as is confirmed by that Warranty Deed executed November 10, 1992, a copy of which is attached hereto as **Exhibit A** and incorporated herein by reference.

3. The owners of the property which is a subject of Subfile No. CHTA-001-003 have not at any time conveyed all or any part of their interest in the property to Garcia Lazy J. Ranch, Inc.

WHEREFORE Defendant Garcia Lazy J. Ranch, Inc., respectfully requests that it be dismissed from this action, that the individual parties named herein and on the attached Warranty Deed be substituted as proper Defendants, that the Court's Scheduling Order entered in this matter on December 15, 2005, which requires Defendant Lazy J. Ranch, Inc. to secure legal representation, be amended to allow the individual parties named herein and on the attached Warranty Deed to appear *pro se* should they choose to do so, and for such other and further relief as the Court shall deem proper.

Respectfully submitted:

LOPEZ, SAKURA & BOYD, LLP

BY: s/Todd M. Lopez
Todd M. Lopez
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P.O. Box 2246
Santa Fe, NM 87504-2246
(505) 992-0811
Attorneys for Defendant Garcia Lazy J.
Ranch, Inc.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Ownership was mailed to the following this 16th day of February, 2006:

EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

and transmitted by ACE filing to the following this 16th day of February, 2006:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

s/Todd M. Lopez